



City of Santa Barbara

Planning Division

STAFF HEARING OFFICER MINUTES

JANUARY 30, 2008

CALL TO ORDER:

Bettie Weiss, City Planner called the meeting to order at 1:03 p.m.

STAFF PRESENT:

Bettie Weiss, City Planner

Danny Kato, Senior Planner II

Kathleen Goo, Staff Hearing Officer Secretary

I. PRELIMINARY MATTERS:

- A. Requests for continuances, withdrawals, postponements, or addition of ex-agenda items.

No Requests.

- B. Announcements and appeals.

Mr. Kato announced that 2420 Calle Galicia has a pending appeal scheduled for the Planning Commission.

Ms. Weiss announced the following pending appeals:

1. 1596 Oramas Street was heard on appeal at the January 17th Planning Commission meeting.
2. 3230 State Street has a scheduled appeal for the February 21st Planning Commission meeting.
3. 222 W. Alamar Road has a scheduled appeal for the February 7th Planning Commission meeting.
4. 226 & 232 Eucalyptus Hill Drive is still pending a scheduled appeal to the Planning Commission.

- C. Ms. Weiss announced that Resolution No, 003-08 for 1406 Grand Avenue was issued today to the applicant via email and mail and the 10-day appeal period begins today.

- D. Comments from members of the public pertaining to items not on this agenda.

No comments.

II. **PROJECTS:**

ACTUAL TIME: 1:06 P.M.

A. **APPLICATION OF PETER BECKER, AGENT FOR PETER & ELAINE LICATA, 817 ARBOLADO ROAD, APN 019-231-021, E-1 ONE-FAMILY RESIDENCE ZONE, GENERAL PLAN DESIGNATION: RESIDENTIAL 3 UNITS PER ACRE (MST2006-00194)**

The ½ acre project is currently developed with single-family residence and a detached accessory building above a two-car garage. The proposed project involves a remodel currently underway on site. A balcony, located on the front of the residence is being covered, and a paved area to the side of the garage will be used for parking.

The discretionary application required for this project are Modifications to permit alterations within the front yard setback and to allow parking within a required yard (SBMC §28.15.060 & 28.90.001).

The Environmental Analyst has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Guidelines Section 15303.

Case Planner: Roxanne Milazzo, Associate Planner
Email: rmilazzo@SantaBarbaraCA.gov

Peter Becker, Applicant, present.

Danny Kato, Senior Planner, gave the Staff presentation and recommendation.

Ms. Weiss announced that she read the Staff Report for the proposed project and also visited the site and surrounding neighborhood.

Ms. Weiss requested staff and the applicant to clarify some questions regarding hedge or fencing per zoning compliance, additional pool fencing at 5½ feet and pulled back 10 feet from the property line, the proposed aesthetic replacement wood railing and balcony, and extensive vegetation in the right of way.

Ms. Weiss expressed concern regarding essential and adequate turn-around and expanse of paving which tends to be used for inappropriate parking in the front yard area while acknowledging limited parking in the street.

The Public Hearing was opened at 1:18 p.m. and, as no one wished to speak, was closed at 1:19 p.m.

ACTION:

Assigned Resolution No. 004-08

Approves the two foot encroachment into the required interior yard setback for an additional uncovered parking space, with the condition that the Single Family Design Board (SFDB) review the appropriateness of front driveway paving area, design materials, and size of the turn-around area as necessary to secure an appropriate improvement on a lot limited by slope and lack of street parking and, if not deemed necessary, to see a reduction of paving area in order to be consistent with the purposes and intent of the Zoning Ordinance. A copy of a letter from the City Streets Division shall also be provided to the Board.

Ms. Weiss announced the ten calendar day appeal period to the Planning Commission and subject to suspension for review by the Commission.

ACTUAL TIME: 1:20 P.M.

B. APPLICATION OF BILL POEHLER, AGENT FOR MANUEL AND MARIA DEL ALARCON, PROPERTY OWNERS, 3035 PASEO DEL DESCANSO, APN 053-192-012, E-3 ONE-FAMILY RESIDENCE/SD-2 SPECIAL DISTRICT OVERLAY ZONES, GENERAL PLAN DESIGNATION: RESIDENTIAL 5 UNITS PER ACRE (MST2007-00154)

The 6,600 square foot project site is located on the corner of Paseo del Descanso and Alamar Avenue. Current development on site consists of a single-family residence and attached one-car garage. The proposed project involves complete demolition of the existing structures and the construction of a two-story single-family residence with attached two-car garage.

The discretionary application required for this project are Modifications to permit the required open yard area to be provided in portions of the secondary front yard with dimensions less than the twenty-foot (20') minimum, and to permit a fence, located along the Alamar frontage, to exceed the maximum allowable height of 3 ½' when located within ten-feet of a front lot line (SBMC §28.15.060 & 28.87.170).

The Environmental Analyst has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Guidelines Section 15305.

Case Planner: Roxanne Milazzo, Associate Planner
Email: rmilazzo@SantaBarbaraCA.gov

Bill Poehler, Applicant, present.

Danny Kato, Senior Planner, gave the Staff presentation, staff and Single Family Design Board (SFDB) recommendations.

Ms. Weiss announced that she reviewed the plans and read the Staff Report for the proposed project, and stated she was familiar with the site and surrounding San Roque neighborhood.

Ms. Weiss requested staff and the applicant to clarify some questions regarding the relevance of the potential new secondary front yard zoning amendment. Mr. Kato

explained that even though none of the proposed modification plans functionally meet the minimum open yard dimensional requirements, staff recommends a smaller encroachment and a reduction of the size of the building by 10 feet. Ms. Weiss clarified that even under a new secondary front yard zoning amendment, the proposed project would still require a modification.

Ms. Weiss noted the proposed project's inconsistency with the legally permitted neighborhood pattern expansive open front yards, and expressed concern regarding the location of the rear yard fence for compliance with the City Ordinance. She stated she is considering a reduction of the building footprint, and some relief of the fence along the portion east Alamar Avenue by pulling the corner area fence in and back from where currently proposed.

The Public Hearing was opened at 1:31 p.m.

Ms. Weiss acknowledged receiving a recent letter correspondence from Ms. Paul Westbury expressing her concern, and Ms. Westbury also made a later appearance to express her opposition to the proposed project.

Ms. Weiss acknowledged Exhibit B of the Staff Report which was an email from Mr. Chris Otenez expressing his opposition to the proposed project.

Ms. Mary Louis Days, owner of a neighboring property, requested clarification on details of the requested modification, and supported the staff recommendation for a 10-foot wall/fence reduction and 10 feet more open space for the proposed project.

The Public Hearing was closed at 1:44 p.m.

Ms. Weiss expressed concern regarding the proposed proximity of the fence to the property line and requested a 5-foot buffer zone around the corner of the lot for future sidewalk improvement.

ACTION:

Assigned Resolution No. 005-08

Approves the open front yard Modification as necessary to secure an appropriate improvement on the lot, and the Modification to allow a 6-foot maximum height fence to be set back 5 feet from the property line, allowing a 5-foot encroachment from the property line extending no further north than shown on the site plan to be consistent with the purposes and intent of the Zoning Ordinance.

Ms. Weiss announced the ten calendar day appeal period to the Planning Commission and subject to suspension for review by the Commission.

ACTUAL TIME: 2:03 P.M.

C. APPLICATION OF JOSEPH VAN THYNE, 1315 ENSENADA STREET,
APN 017-231-007, R-2 TWO-FAMILY RESIDENTIAL ZONE, GENERAL
PLAN DESIGNATION: RESIDENTIAL 12 UNITS PER ACRE
(MST2006-00409)

The 6,500 square foot project is currently developed with two (2) single-family residences and four (4) parking spaces. The proposed project involves a current enforcement case related to the location of the rear unit. The unit, which was built with a permit in 2001, was constructed within the required six-foot (6') interior yard setback.

The discretionary application required for this project is a Modification to permit the unit to be legalized in its current location within that required yard (SBMC §28.15.060).

The Environmental Analyst has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Guidelines Section 15305.

Case Planner: Roxanne Milazzo, Associate Planner
Email: rmilazzo@SantaBarbaraCA.gov

Joseph Van Thyne, Applicant/Property Owner, present.

Ms. Weiss announced that she read the Staff Report for the proposed project and also visited the site and surrounding neighborhood.

Danny Kato, Senior Planner, gave the Staff presentation and recommendations.

Mr. Kato suggested a 3-foot setback from the property line and the applicant either move the structure over 3 feet for the building face with a 1-foot eave allowance or alter the design of the plans to be more in compliance with standard setback Ordinance requirements and Uniform Building Codes

Ms. Weiss requested the applicant to clarify some questions regarding the original plans as presented, the location of the adjacent retaining wall, prior modification on the property, and the open yard.

Ms. Weiss expressed concern regarding proximity of the structure to adjacent fencing and property lines, and concurred with the staff's the less costly alternative of altering the structure so that the building faces a minimum standard 3 feet from the property line with a 1-foot eave allowance than the more costly alternative of moving the building, and redoing the site plan and parking, etc.

The Public Hearing was opened at 2:14 p.m.

Mr. John Hancock expressed concern regarding proximity of the proposed structure to his property line or effect on personal future construction.

Ms. Paula Westbury expressed concern regarding demolition of any structures of the proposed project.

The Public Hearing was closed at 2:20 p.m.

ACTION:

Assigned Resolution No. 006-08

Approves the modification as requested, with the understanding that the proposed project is subject to approval by the Architectural Board of Review (ABR), and that the applicant be able to comply with safety and building standards of closing and creating a 1-hour protection along the exterior wall with likely removal of the eave in order to secure an appropriate improvement and meet the purpose and intent of the Zoning Ordinance.

Ms. Weiss announced the ten calendar day appeal period to the Planning Commission and subject to suspension for review by the Commission.

ACTUAL TIME: 2:35 P.M.

D. APPLICATION OF ROBERT HUGHES FOR ANNETTE HUGHES, 70 LA CUMBRE CIRCLE, APN 049-350-022, R-2 TWO-FAMILY RESIDENTIAL ZONE, GENERAL PLAN DESIGNATION: RESIDENTIAL 12 UNITS PER ACRE (MST2006-00440)

The project site is part of a Garden Apartment Development. Current development related to this application consists of a 1,260 square-foot single-family residence with an attached 370 square-foot garage. The proposed project involves the replacement of an existing "as-built" patio cover with an 11' X 24' patio cover and subject to the La Cumbre Circle Home Owners Association Guidelines.

The discretionary application required for this project is a Modification to permit the addition to be located within the required interior yard (SBMC § 28.30.060).

The Environmental Analyst has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Guidelines Section 15305.

Case Planner: Roxanne Milazzo, Associate Planner
Email: rmilazzo@SantaBarbaraCA.gov

Robert Hughes, Applicant; and Annette Hughes, Property Owner, present.

Ms. Weiss announced that she read the Staff Report for the proposed project and also visited the site and surrounding neighborhood.

Danny Kato, Senior Planner, gave the Staff presentation and recommendation, mentioning the unusual 31-foot setback surrounding the entire Garden Apartment project site.

Ms. Weiss requested the applicant to clarify compliance with neighborhood concerns, and to confirm the La Cumbre Home Association approval and compliance with their adopted Association guidelines.

Ms. Weiss requested staff and the applicant to clarify recent decisions made by the Single Family Design Board (SFDB) and the Architectural Board of Review (ABR) Consent Review for the proposed project.

The Public Hearing was opened at 2:41 p.m. and, as no one wished to speak, was closed at 2:42 p.m.

Mr. Kato reported received correspondence from Mr. Tony Fischer expressing his concerns that the "staff report refers to the project as a single-family residence; the project is not a single-family residence and therefore he feels it should be a new, noticed project" and that the proposed project was continued to SHO with condition that "the ivory facia column (as proposed) should be white (in color) but (that the) ivory (color) is acceptable."

ACTION:

Assigned Resolution No. 007-08

Approves the project, making the findings that the Modification to permit a reduction of the interior yard setback for purposes of constructing a patio cover is necessary to secure an appropriate improvement to the property and is consistent with the purpose and intent of the Ordinance, as the patio cover will provide an amenity which enhances the enjoyment of the private backyard for this site and is consistent with the 1970 Planning Commission approval for patio covers.

Ms. Weiss announced the ten calendar day appeal period to the Planning Commission and subject to suspension for review by the Commission.

III. ADJOURNMENT

Ms. Weiss adjourned the meeting at 2:43 p.m.

Submitted by,



Kathleen Goo, Staff Hearing Officer Secretary